

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 5.04 of the Lincoln Municipal Code relating
2 to Alcoholic Liquor by amending Section 5.04.062 to provide that misrepresentations and/or
3 omissions on applications for special designated licenses shall constitute grounds for denial or
4 cancellation of such license; amending Section 5.04.064 to provide additional requirements and
5 limitations for special designated licenses requesting hours of operation for one or more
6 licenses any time between 12:01 a.m. the day of any University of Nebraska home football
7 game through 6:30 a.m. the following day and to provide an exception to the requirements for
8 state government applications; providing an effective date of June 1, 2003; and repealing
9 Sections 5.04.062 and 5.04.064 of the Lincoln Municipal Code as hitherto existing.

10 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

11 Section 1. That Section 5.04.062 of the Lincoln Municipal Code be amended to
12 read as follows:

13 **5.04.062 Special Designated License Qualifications and Restrictions.**

14 Applicants must qualify for issuance of a special designated license under the Nebraska
15 Liquor Control Act. Applications for a special designated license shall be filed on forms provided
16 by the City Clerk in the office of the City Clerk. Caterers shall apply not less than twenty-one
17 days prior to the date requested for liquor sales. All other applicants shall apply not less than
18 twenty-one days prior to the date requested for liquor sales if City Council review is required and
19 not less than seven days in all other cases. Except for caterers, special designated licenses
20 shall be issued to one applicant for no more than six calendar days in any one calendar year.

21 All applicants shall complete the required form completely and accurately. Material

1 misrepresentations or omissions shall constitute grounds for denial or canceling the related
2 special designated license. Only one special designated license shall be required for any
3 application for two or more consecutive days.

4 Section 2. That Section 5.04.064 o the Lincoln Municipal Code be amended to
5 read as follows:

6 **5.04.064 Criteria for Approval of Special Designated Licenses.**

7 In reviewing applications for special designated ~~permits~~ licenses, the City Clerk shall
8 approve the same only when:

9 (a) The Chief of Police, or a representative designated by the Chief, has completed
10 a report of the applicant showing that the applicant is qualified to hold a license under the
11 Nebraska Liquor Control Act and the premises and proposed services can conform in all
12 respects to applicable liquor laws and in particular those relating to the sale and consumption
13 of liquor by minors.

14 (b) The Director of Building and Safety, or a representative designated by the
15 Director, has completed a report of the proposed premises and concluded that the premises can
16 conform in all respects to any applicable fire code, building code, or other health or safety code
17 and in particular those relating to maximum occupancy.

18 (c) The applicant has provided all required restroom facilities.

19 (d) The applicant will not violate the noise control ordinance, Lincoln Municipal Code
20 Chapter 8.24.

21 (e) The applicant will not create or allow the requested services and related activities
22 to create a traffic congestion hazard or other public safety hazards.

1 (f) The applicant has obtained any necessary food service or other permits required
2 by law for any related activities on the licensed premises.

3 (g) The applicant and the proposed service of alcohol otherwise complies with all
4 other requirements of the Nebraska Liquor Control Act.

5 In addition to the above requirements, all applications under Section 5.04.068, relating
6 to special designated licenses for a series of events, requesting hours of operation for one or
7 more licenses at any time between 12:01 a.m. the day of any University of Nebraska home
8 football game through 6:30 a.m. the following day, the proposed service of alcohol shall be
9 limited to premises immediately adjacent to the applicant's own currently licensed Class A,
10 Class C, Class I, or Class J premises under the Nebraska Liquor Control Act; and the applicant
11 shall provide adequate supervision upon the premises by utilizing at a minimum two persons
12 on duty at each entry and exit point and one additional staff person on duty within the proposed
13 premises for each and every 50 persons based on capacity of the proposed premises.

14 Notwithstanding the above, the City Clerk may issue special designated licenses upon
15 application of or on behalf of the State of Nebraska or any agency or office of the State of
16 Nebraska.

17 Section 4. That Sections 5.04.062 and .504.064 of the Lincoln Municipal Code
18 as hitherto existing be and the same are hereby repealed.

1 Section 5. That this ordinance shall be in full force and effect as of June 1, 2003,
2 after its passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____,
2002:

Mayor